

McKISOCK & HOFFMAN, P.C.

By: B. Craig Black, Esquire

I.D. #36818

By: Robert A. McDermott, Esquire

I.D. #66724

2040 LINGLESTOWN ROAD

SUITE 302

HARRISBURG, PA 17110

(717) 540-3400

AMANDA BARGE and ARTHUR BARGE
Plaintiffs

v.

DAVID J. SALINGER, M.D., WILLIAM
YING, PH.D., KEYSTONE ONCOLOGY,
LLC, COMPREHENSIVE PHYSICS AND
REGULATORY SERVICES, LTD. and
EQUIMED, INCORPORATED

Defendants

ATTORNEYS FOR DEFENDANTS
DAVID J. SALINGER, M.D. and KEYSTONE
ONCOLOGY, LLC

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

NO. 1:CV-00-1881

CIVIL ACTION – LAW

JUDGE CONNER

JURY TRIAL DEMANDED

FILED
HARRISBURG
APR 24 2003
MARY E. D'ANDREA, CLERK
Per JM
Deputy Clerk

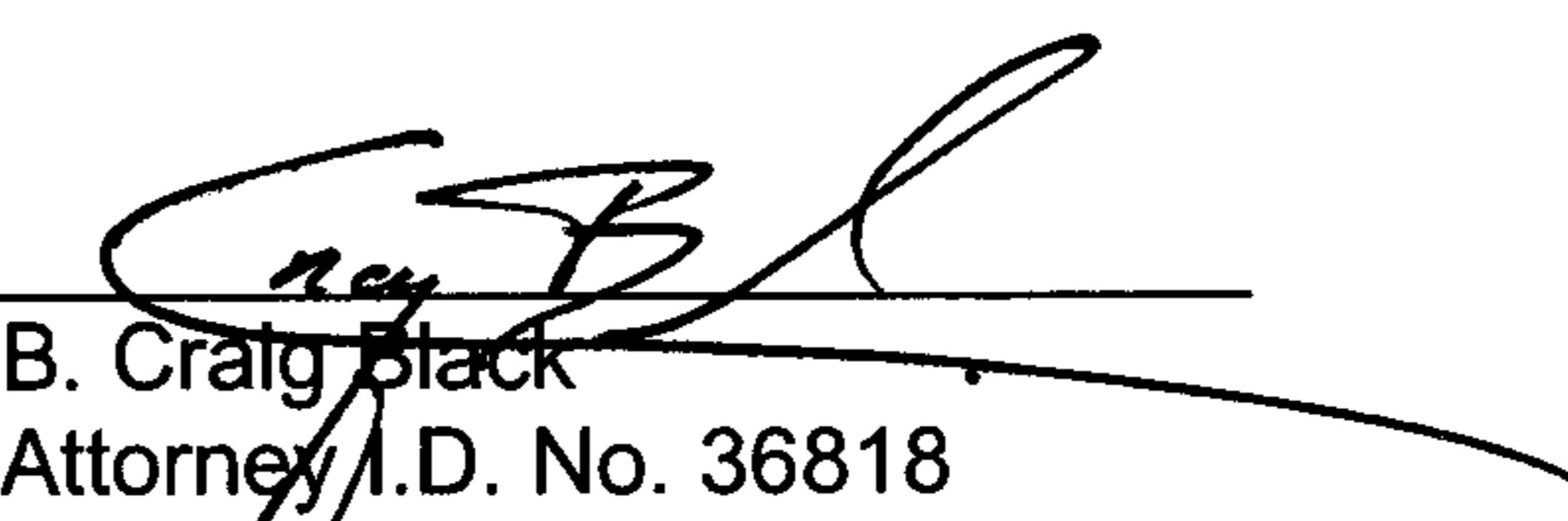
**DEFENDANT, DAVID J. SALINGER, M.D. AND KEYSTONE ONCOLOGY, LLC'S
SUPPLEMENTAL PROPOSED POINTS FOR CHARGE**

Defendants, David J. Salinger, M.D. and Keystone Oncology, LLC, respectfully
supplements its proposed points for charge filed with this Honorable Court on February 19,
2003, (which Proposed Points for Charge are incorporated by reference) and requests that this
Court instruct the jury on the following additional points of law as they are applicable under the
doctrine of law established in Erie Railroad v. Tompkins, 304 U.S. 64, *cert denied*, 305 U.S.
639 (1938), regarding the application of the forum state's substantive law and are set forth in the
Pennsylvania Suggested Standard Civil Jury Instructions, modified to reflect the fact specific
circumstances of this case:

1. Comparative Negligence And Apportionment Among Joint Tortfeasors – Pa. S.S.J.I. – 3.03A;
2. Conflicting Testimony; Pa. S.S.J.I. - 5.40

Respectfully submitted,

McKissock & Hoffman, P.C.

By: 

B. Craig Black
Attorney I.D. No. 36818
Robert A. McDermott
Attorney I.D. No. 66724
2040 Linglestown Road; Suite 302
Harrisburg, PA 17110
(717) 540-3400

*Attorneys for Defendants,
David J. Salinger, M.D. and
Keystone Oncology, LLC*

Date: *April 24, 2003*

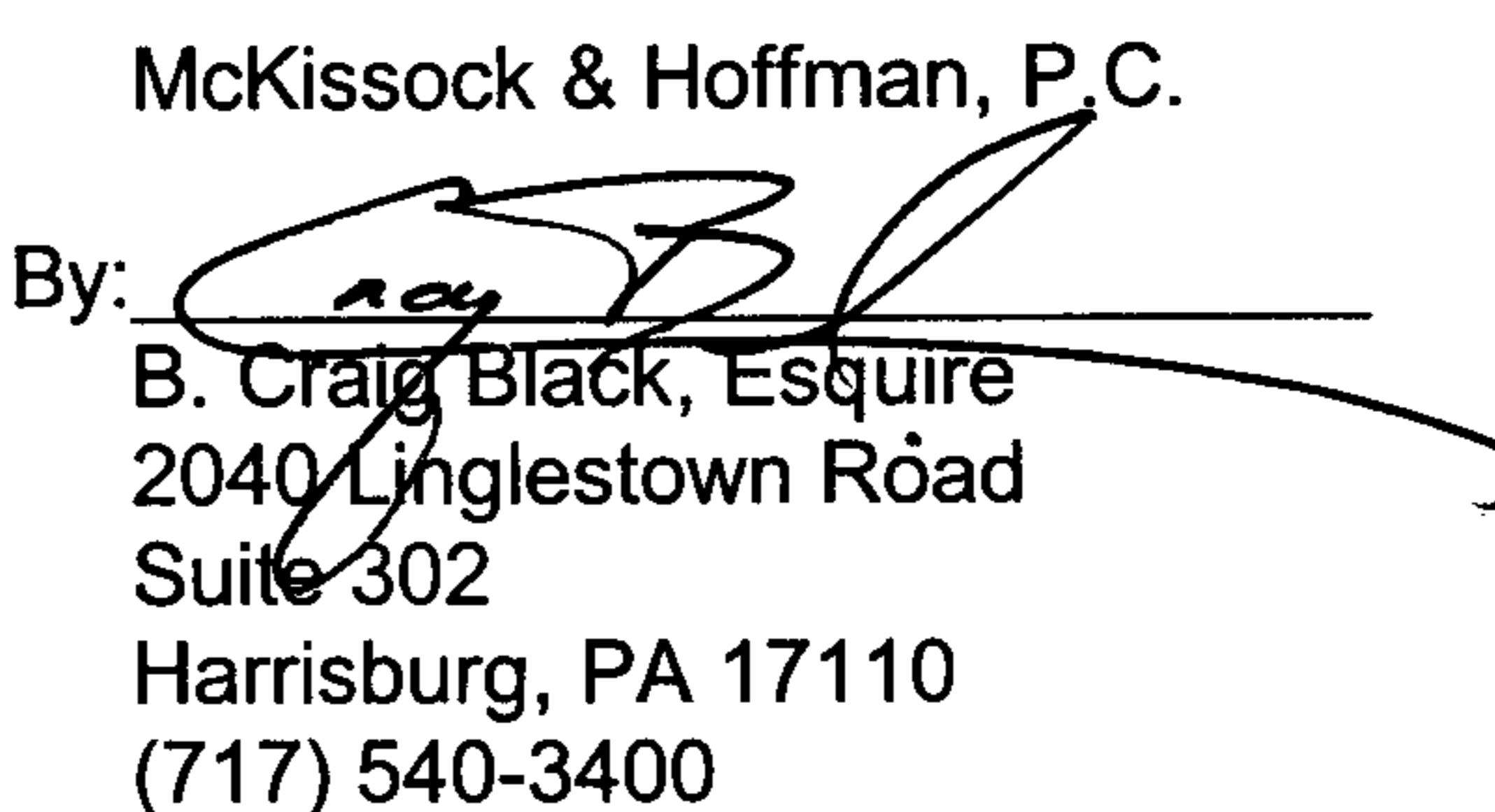
CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a copy of the foregoing **Supplemental Proposed Points for Charge Submitted By David J. Salinger, M.D. And Keystone Oncology, LLC** upon the person(s) and in the manner indicated below, which service satisfies the requirements of FRCP 5(b), by hand delivering a copy of same addressed as follows:

Richard Oare, Esquire
1434 South George Street
York, PA 17403
(*Counsel for Plaintiffs*)

Louis G. Close, III, Esquire
22 West Pennsylvania Avenue
Towson, MD 21204
(*Co-Counsel for Plaintiffs*)

Joseph A. Ricci, Esquire
Farrell & Ricci
4423 North Front Street
Harrisburg, PA 17110
(*Counsel for William Ying, Ph.D., Comprehensive Physics and Regulatory Services, Ltd. and Equimed, Inc.*)

McKissock & Hoffman, P.C.
By: 
B. Craig Black, Esquire
2040 Linglestown Road
Suite 302
Harrisburg, PA 17110
(717) 540-3400

*Attorneys for Defendants,
David J. Salinger, M.D. and
Keystone Oncology, LLC*

Dated: April 24, 2003